SHARP Unit Refresher Training (Pre and Post Deployment)
### Terminal Learning Objectives

<table>
<thead>
<tr>
<th>Action</th>
<th>Demonstrate behavior consistent with the Army’s Sexual Harassment and Assault Response and Prevention (SHARP) Program</th>
</tr>
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<tbody>
<tr>
<td>Conditions</td>
<td>As Commanders, managers, Soldiers, and civilians confronted with real-life scenarios involving potential and actual sexual harassment and sexual assault</td>
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<tr>
<td>Standards</td>
<td>Upon completion of this lesson, commanders, managers, Soldiers, and civilians will be able to demonstrate behavior consistent with the Army’s SHARP Program to eliminate sexual harassment and sexual assault from the Army, with 100% accuracy:</td>
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<tr>
<td></td>
<td>A. Define the Army’s sexual harassment and sexual assault policies and prevention strategy</td>
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<td></td>
<td>B. Recognize potential sexual harassment behavior</td>
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<tr>
<td></td>
<td>C. Recognize potential sexual assault behavior</td>
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<td></td>
<td>D. Apply techniques to safely intervene to prevent sexual harassment and sexual assault</td>
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<td></td>
<td>E. Identify reporting options, procedures, and the importance of reporting</td>
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<td></td>
<td>F. Describe the role of commanders, managers, Soldiers, and civilians in preventing sexual violence</td>
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</table>
What is the difference between sexual harassment and sexual assault?

**Sexual Harassment**
- Involves verbal, non-verbal and physical behaviors

**Sexual Assault**
- Involves sexual contact characterized by use of force
Harassment is any unwelcome verbal or physical conduct based on protected bases (Race, Color, Religion, Sex, National Origin, Age (40 and over), Disability, Retaliation, and Sexual Orientation) when the conduct culminates in a tangible employment action, or… was sufficiently severe or pervasive to create a hostile work environment. **NOTE: Harassment on any of these grounds is prohibited!**

Sexual Harassment is a form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to or rejection of is made a term or condition of a person’s job, pay, career
- Submission to or rejection of is used as a basis for career or employment decisions
- Conduct interferes with an individual’s work performance
- Conduct creates an intimidating, hostile, or offensive work environment
Sexual assault - intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent; sexual assault can occur without regard to gender, spousal relationship, or age of victim

- **Consent** will not be deemed or construed to mean the failure by the victim to offer physical resistance
- **Consent** is not given when a person uses force, threat of force or coercion, or when the victim is asleep, incapacitated, or unconscious
If we know that sexual harassment and sexual assault are wrong, why do these behaviors continue?

Answer: Because we as a society allow it to happen.

As leaders, why is it important for us to stop sexual harassment and sexual assault?

Answer: We all have a responsibility to take action to change our culture to eliminate an “enemy that lies within our ranks.” (CSA General Casey, SHARP Summit 2010)

We are all leaders, and as leaders there is no such thing as a passive bystander. Each of us is either enabling sexual harassment and sexual assault or standing up to stop it.
Sexual Harassment Affects Men and Women

Who do you think has experienced sexual harassment in the Army?

Of those surveyed in the ARI Human Relations 2009 Operational Troops Survey....

- Male officers: 40%
- Female officers: 60%
- Male enlisted Soldiers: 50%
- Female enlisted Soldiers: 70%

Note: The ARI survey did not include comparable data for Army civilians and no comparable data is currently available.
Sexual Assault is a Crime

According to Army sexual assault data for FY2009:

- 67% of violent crime in the Army was due to sexual assaults
- 65% of sexual assaults were felony offenses
- 59% of sexual assaults were “Blue on Blue”

Bottomline: Sexual assault is a crime that is endangering the Army from the inside out.
What’s the Impact?

How does sexual harassment and sexual assault affect Soldiers and civilians in their units and communities?

It undermines the strength of our Army and fundamentally goes against the Warrior Ethos, the Army Civilian Corps Creed, and the Army Values.
### Individual
- Isolation
- Depression
- Degrading of individual
- Difficulty with trust
- Excessive absenteeism
- Loss of career
- Post Traumatic Stress Syndrome

### Unit
- Loss of unit cohesion
- Inability to accomplish goals/mission
- Decreased unit readiness
- Low morale
- Excessive absenteeism
- Loss of personnel

### Community
- Loss of safety
- Diminishes community relations
- Instability
- Higher rates of violent crime
- Degradation to community

---

**Bottomline:** Sexual harassment and sexual assault endanger the lives of individuals and threaten the Army’s mission.
Why Prevention?

- As a society, the Army does not tolerate crime or mistreatment of its Soldiers and civilians.

- Prevention
  - Attacks the issue at the earliest point
  - Makes life safer on and off-post
  - Aligns with and reinforces Army Values
  - Keeps the focus on the mission
  - Enhances unit camaraderie
  - Maintains goodwill
**SHARP Program: Leading the Charge Against Sexual Harassment and Assault**

The Army's Strategy

**Phase I: Committed Army Leadership**
- Launched Sep 2008
- Exit Criteria: Aggressive Senior Leader Condemnation
- Develop Baseline
- Start: Propensity to report: 33%

**Phase II: Army-Wide Conviction**
- Launched April 2009
- Exit Criteria: Ownership of Sexual Assault Prevention
- Post-Year 2 Propensity to report: 50%
- Post-Year 2 Assaults reduced by 15%

**Phase III: Achieve Cultural Change**
- Projected Launch FY12
- Exit Criteria: DoD’s Retention Leader
- Post-Year 4 Propensity to report: 70%
- Post-Year 4 Assaults reduced by 25%

**Phase IV: Sustainment, Refinement, and Sharing**
- Projected Launch FY13
- Exit Criteria: Blueprint for the Nation
- Post-Year 5 Propensity to report: 90%
- Post-Year 5 Assaults reduced by 50%
Transitioning to SHARP

SAPR + POSH = SHARP

Sexual Assault Prevention & Response (SAPR)

Military POSH*
- Race
- Color
- Religion
- National Origin
- Gender
- POSH

Civilian POSH**
- Age
- Color
- Sexual Orientation
- Reprisal
- Disability
- Religion
- Race
- National Origin
- Gender

* Prevention and response
** Prevention only

SHARP Program: Leading the Charge Against Sexual Harassment and Assault
Transforming Units

**2010 - 2012**
- Field Army
- Corps
- Division
- Brigade
- Battalion
- Company

**2013 and Beyond**
- Civilian Full-Time Employee

Collateral duty (except for contractors) (Soldiers and civilians)

Collateral duty (Soldiers and civilians)
To defeat sexual harassment and sexual assault it’s up to Soldiers and civilians to take a stand. The Army needs you to:

- Strongly condemn sexual harassment/assault
- Take ownership for eliminating the “enemy within our ranks”
- Intervene to prevent sexual harassment/assault
- Encourage Soldiers and civilians to report incidents
- Make the Army the DoD leader and “blueprint for the nation”
Approximately one-third of all reported sexual assaults within the Army are preceded by sexual harassment.
Homicide

Intentional, forced, non consensual sexual contact

Sexual Assault

A form of discrimination that contains sexual overtones

Sexual Harassment

An indirect remark suggesting something rude or sexual in nature

Sexual Innuendo

We need to attack this issue at the lowest level
### Old Approach vs. New Approach

<table>
<thead>
<tr>
<th></th>
<th>Old Approach</th>
<th>New Approach</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Goal:</strong></td>
<td>Eliminate crime</td>
<td>Cultural change: I. AM. STRONG</td>
</tr>
<tr>
<td><strong>Focus:</strong></td>
<td>Risk avoidance</td>
<td>Prevention</td>
</tr>
<tr>
<td><strong>Target:</strong></td>
<td>Potential victim</td>
<td>Potential offender</td>
</tr>
<tr>
<td><strong>Primary Responsibility:</strong></td>
<td>Victim</td>
<td>Bystander</td>
</tr>
<tr>
<td><strong>Sexual Harassment and Sexual Assault:</strong></td>
<td>Two separate issues</td>
<td>Two related issues</td>
</tr>
<tr>
<td><strong>Approach:</strong></td>
<td>Avoid becoming the target</td>
<td>Intervene to stop potential sexual harassment and sexual assault</td>
</tr>
<tr>
<td><strong>Key Message:</strong></td>
<td>Protect yourself</td>
<td>Every Soldier and civilian has a duty to intervene to prevent sexual harassment/assault</td>
</tr>
</tbody>
</table>

- **SHARP Program:** Leading the Charge Against Sexual Harassment and Assault
It is the Army’s approach for eliminating sexual harassment and sexual assault

It stops sexual harassment and sexual assault before it happens

It uses each person’s behavior to influence others

It changes the rules of acceptable behavior
Fear

- Inability to accurately identify potential sexual harassment/assault behavior

Peer pressure

- Impact of hierarchy or chain of command

Conflict avoidance

- Perception of social norms, peers’ attitudes, and standards of behavior
Why Should You Intervene?

- It is your responsibility as a Soldier or civilian
- Intervening supports the Army Values, the Warrior Ethos and the Army Civilian Corps Creed
- To prevent a criminal act
- To protect your battle buddies
- To maintain unit readiness and cohesion
- To enable mission accomplishment
- It is the right thing to do!
No “innocent bystander”

When you see the warning signs of sexual violence, you are either a:

<table>
<thead>
<tr>
<th>FOLLOWER</th>
<th>or</th>
<th>LEADER</th>
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</thead>
<tbody>
<tr>
<td>Support</td>
<td>or</td>
<td>Deter</td>
</tr>
<tr>
<td>Encourage</td>
<td>or</td>
<td>Discourage</td>
</tr>
<tr>
<td>Enable</td>
<td>or</td>
<td>Condemn</td>
</tr>
<tr>
<td>Stay Silent</td>
<td>or</td>
<td>Speak Up</td>
</tr>
<tr>
<td>Ignore</td>
<td>or</td>
<td>Intervene</td>
</tr>
</tbody>
</table>

Soldiers and civilians must be Leaders and Intervene, Act, and Motivate!
Notice the event along a continuum of behaviors

Interpret it as a problem

Feel responsible for solving it

Choose how to intervene

Build the culture to eliminate it
Army Policy on Sexual Harassment

- Sexual harassment is unacceptable and will not be tolerated
- Sexual harassment destroys teamwork and negatively affects combat readiness
- Army leadership at all levels will be committed to creating an environment conducive to maximum productivity and respect for human dignity
- The success of the mission can be achieved only in an environment free of sexual harassment for all personnel
Types of Sexual Harassment

- **Quid Pro Quo/Sexual Coercion**: (“This for That”) Conditions placed on an individual’s career in return for sexual favors

- **Hostile Environment**: Subjected to offensive, unwanted and unsolicited comments, or behaviors of a sexual nature. If these behaviors unreasonably interfere with an individual’s performance then the environment is classified as hostile
  - Crude/Offensive behavior
  - Unwanted sexual attention

Desensitization doesn’t make it right!

**SHARP Program**: Leading the Charge Against Sexual Harassment and Assault
Sexual Harassment Behaviors

- **Verbal**
  - Jokes, sexually explicit profanity, describing physical appearance, terms of endearment

- **Nonverbal**
  - Staring, licking lips suggestively
  - Displaying sexually explicit pictures or screen savers
  - Sexually oriented e-mail, notes, printed material, etc.

- **Physical**
  - Cornering or blocking an individual
  - Rubbing against someone or causing someone to brush against in order to pass by
Sexual harassment is a violation of Title VII of the Civil Rights Act. Complaints are processed IAW AR 690-600 and 29 CFR Part 1614.

A civilian may name a management official in his/her complaint, but the complaint is filed against the Secretary of the Army.

Any civilian employee under the direct supervision of a commanding officer or officer in charge of a military unit, vessel, facility, or area of the Army may use an alternate procedure for addressing allegations of sexual harassment.

- Title 10 US Code Section 1561 is a civilian option for addressing sexual harassment concerns involving military commanders.
- It is separate from the Army’s EEO complaint procedure.
- Generally both (EEO and US Code Section 1561) procedures can be conducted simultaneously.
<table>
<thead>
<tr>
<th><strong>Civilian</strong></th>
<th><strong>Military</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>On-Duty</td>
<td>24/7 on and off-duty</td>
</tr>
<tr>
<td>Right to sue through the administrative process provided in 29 CFR Part 1614</td>
<td>No right to sue</td>
</tr>
<tr>
<td>Management responsible for confronting offenders once it knows or should know of the harassment</td>
<td>Victims encouraged to confront offenders</td>
</tr>
<tr>
<td>Complaints must be managed by Equal Employment Opportunity (EEO) personnel</td>
<td>Complaints managed by SHARP personnel</td>
</tr>
</tbody>
</table>
Sexual Harassment Indicators

- Is the behavior sexual in nature?
- Is the behavior unwelcome?
- Have sexual favors been demanded, requested, or suggested?
- Does the behavior create a hostile or offensive environment?
- Would a reasonable person react the same way to this incident or behavior?
Legal Ramifications (Military)

- Sexual Harassment is punishable under UCMJ
  - Article 15 (Non-judicial Punishment)
  - Courts-Martial
- Administrative Actions:
  - Counseling
  - Additional training
  - Denial of privileges
  - Rehabilitative transfer
  - Letter of reprimand
  - Bar to reenlistment
  - Separation/Discharge
Legal Ramifications (Civilian)

- Department of the Army is held vicariously liable when sexual harassment is found. Liability could include:
  - Compensatory damages/attorney fees are paid from Unit Operational Funds
  - Management may decide to reassign the alleged civilian perpetrator and take disciplinary action against a civilian employee found to have engaged in harassment.
  - Same actions apply to Soldier perpetrator as previous slide
Response Mode

- Soldiers and civilians have a responsibility to protect individuals from sexual harassment. Civilians have a responsibility to inform their supervisor and/or supervisory chain. Soldiers can take action using the following techniques:
  - Direct approach
  - Indirect approach
  - Third party assistance
  - Chain of command
  - File a complaint:
    - Informal complaint
    - Formal complaint
The in-processing center is a “cube farm” environment where Leslie Davis, a civilian, works. One day SSG Bill Evans stopped by SGT Mark Fields’ cubicle and they began an explicit exchange about Leslie. Leslie Davis did not hear any of it, but another employee (SPC Weaver), sitting unseen in the adjacent cubicle, heard the comments.

Does this constitute sexual harassment?

Offensive, unwanted and unsolicited comments or behaviors of a sexual nature can constitute a hostile environment. It does not matter that SPC Weaver was not the object of the comments, nor that they did not intend for SPC Weaver to hear.
Mr. Williams is a civilian who services IT equipment at a Forward Operating Base in Iraq. CPT Switzer is the Commander for B Company, in the Signal Battalion. One evening after working out together, CPT Switzer says “let’s go to my hooch and talk.” When they get there, CPT Switzer takes off her uniform and walks around in her panties and bra. Mr. Williams says that he needs to go back to his office to do some work. CPT Switzer says “what happens here stays here” and continues to walk towards Mr. Williams. Mr. Williams insists that he has to get back to the office. The next day he avoids CPT Switzer.

Does this constitute sexual harassment?

Mr. Williams indicated by his comments and his behavior the next day that CPT Switzer’s behavior was unwelcomed and unwanted.
PFC Doe reported a sexual harassment incident he experienced to his platoon leader. The 2LT said, “Well, I’ve never heard any such complaint about SGT Jones before. I don’t think he meant any harm so, I’m going to let it slide this time.”

Evaluate the Officer’s response.

An Army leader is obligated to handle complaints far more actively than simply deciding not to bother with them.
Carla Stephens is the 17 year old daughter of SFC Olsen from Ft Bragg, NC. While at the Post Exchange one summer day, Carla and her friend, Brittney, decide to have lunch. When Brittney bends down to pick up some change she dropped, PFC Allen, comments on the tattoo on her lower back. Just then SPC King walks by and points to Carla and says “I’d like to put some ink on that!” Carla looks offended and says, ”What do you mean by that?” and he says, “aw girl, you know what I mean, don’t be playing like your all innocent”. When she asked him what unit he was from, he ignored her and walked away.

Does this constitute sexual harassment?

SPC King’s suggestive comments are clearly unwelcome, unwanted and sexual in nature. The Army’s policy on sexual harassment covers family members.
Learning Check

• What are the two types of sexual harassment?

• What are the three categories of sexual harassment behaviors?

• What are the five response techniques for sexual harassment?
When does sexual harassment cross the line into sexual assault?

- **Sexual Harassment**
- **Sexual Assault**

When it becomes physical! Unwanted, inappropriate sexual contact, or fondling constitute sexual assault and is a crime.
Army Policy on Sexual Assault

- Sexual assault is a criminal offense
- It degrades mission readiness
- Soldiers and civilians who are aware of a sexual assault incident should report it immediately (within 24 hours)
- Sexual assault is incompatible with the Army Values and is punishable under the UCMJ and other federal and local civilian laws
- All victims of sexual assault will be treated with dignity, fairness, and respect

Applies 24/7 On and Off-Post
Sexual Assault Offenses

- UCMJ Article 120 and 125 sexual assault chargeable offenses include these separate charges:
  - Rape
  - Forcible Sodomy
  - Indecent Act
  - Aggravated sexual assault
  - Aggravated sexual contact
  - Abusive sexual contact
  - Wrongful sexual contact
- Article 80 covers "Attempts" to conduct these acts
- Civilian sexual assault offenses determined by civilian law
Legal Ramifications

- Sexual Assault is punishable under UCMJ, and other Federal and local civilian laws.

- Depending upon the offense and the circumstances of the offense, maximum punishments include:
  - Death
  - Confinement for life without eligibility for parole
  - Confinement for life with eligibility for parole
  - Confinement for a period of years (for example 5 years)
  - Total loss of all pay and allowances, reduction to E-1, and dishonorable discharge
  - Bad conduct discharge

- Civilian sexual assault is punishable under applicable Federal and civilian laws.
Warning Signs

- Be alert for any of these behaviors and prepare to intervene:
  - Sexually charged comments and gestures
  - Disrespectful behavior
  - Treating people like things or objects
  - Encouraging someone to drink too much
  - Inappropriate touching or intimacy
  - Targeting someone who is vulnerable
  - Attempting to isolate someone
  - Using alcohol or drugs to increase vulnerability
- Confront the inappropriate behavior
- Involve others to help you remove the potential victim from the situation
- Create a distraction to separate the potential victim from the potential offender
- Inform Commander or manager of the potential incident and intervention actions taken
- Civilian employees should contact a supervisor, security guard, or call 911 if they encounter a situation where intervention could result in immediate physical harm to them
Restricted Reporting

- Allows victim to disclose the details of his/her sexual assault to specifically identified individuals and receive medical treatment and counseling, without initiating an official investigation.

- Report confidentially to:
  - SARC/SHARP Specialist (Brigade and higher)
  - VA/SHARP Specialist (Battalion and below)
  - Healthcare Provider
  - Chaplain*

* Note: Communication with Chaplains is confidential, but it does not constitute a restricted report.
Restricted Report Eligibility

- Eligible:
  - Military personnel of the Armed Forces and the Coast Guard which includes members on active duty and members of the Reserve component
    - Reserve and National Guard performing federal duty (active duty training or inactive duty training and members of the National Guard in Federal (Title 10) status)

- Limited Eligibility under USAREUR Pilot (11 Aug 09):
  - Adult civilian beneficiaries of the military healthcare system

- Not eligible:
  - Members of the Reserve Component not performing Federal duty
  - Retired members of any component
  - Dependents (Except for those covered under USAREUR Pilot)
  - DoD civilian employees
Unrestricted Reporting

- Allows victim who desires medical treatment, counseling, and an official investigation of the allegation to use current reporting channels (for example, the chain of command or law enforcement) or to report the incident to the SARC/SHARP or VA/SHARP Specialist
  - Filing an unrestricted report will initiate an official investigation
  - Details of the incident are limited to personnel with a legitimate need to know
**Restricted Reporting**

- Victim receives medical treatment and counseling
- No investigation conducted
- Does not hold offenders accountable
- Must report to SHARP personnel, Healthcare Provider or Chaplain*  

*Communication with Chaplains is confidential, but it does not constitute a restricted report

**Unrestricted Reporting**

- Victim receives medical treatment and counseling
- Official investigation conducted
- Holds offenders accountable
- Victims can report to variety of resources; chain of command, law enforcement, SHARP personnel, etc.
Unrestricted Reporting - Available Resources

- SHARP personnel, Healthcare Providers, Chaplains
- Chain of Command
- Military Police
- Army Community Services (ACS)
- Criminal Investigation Command (CID)
- Local and State Police
- Staff Judge Advocate (SJA)
- 911
- Army One Source (AOS)
Commander/Manager Responsibilities

- Lead by example
- Establish a command climate of prevention
- Post written SHARP policy statements and victim services information
- Ensure Soldiers receive annual and pre/post deployment SHARP training
- Ensure unit SHARP personnel are appointed, trained and certified
- Conduct periodic assessments of the command’s SHARP program
Individual Responsibilities to Victims

- Listen to the victim and take the allegations seriously
- Make no judgments about the victim or the alleged perpetrator
- Encourage the victim to report the crime
- Support the victim and show respect
What are the Possible Effects of Not Reporting

- The offender may repeat behavior
- Reduction in victim and community safety
- Impedes ability of authorities to conduct an investigation
- Inability to provide medical care and counseling
- Improper care provided to the victim
- Inability to discipline offenders
- Degradation of unit morale and readiness
Learning Check

• What is sexual assault?

• 59% of reported sexual assaults in the Army in FY2009 were ______?

• What are the possible effects of not reporting?

• What is the difference between a restricted and unrestricted report?
Sexual assault affects individuals, units and the larger community. The stakes are high, so prevention is critical.
Your Role in Prevention

- Strongly condemn sexual harassment/assault
- Take ownership for eliminating sexual harassment/assault in the Army
- Recognize the risk factors when you see them
- Intervene to prevent sexual harassment/assault
- Encourage Soldiers and civilians to report incidents
- Help the Army become the DoD leader and “Blueprint for the Nation”
In this lesson you learned how to:

- Define the Army’s sexual harassment and sexual assault policies and prevention strategy
- Recognize potential sexual harassment behavior
- Recognize potential sexual assault behavior
- Apply techniques to safely intervene to prevent sexual harassment and sexual assault from taking place
- Identify reporting options, procedures, and the importance of reporting
- Explain the role of commanders, managers, Soldiers, and civilians in preventing sexual violence